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Express Mail No. EV 130049036 US

9D-RG-19587
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Graves et al.

Serial No.: 09/758,611

Filed: January 11, 2001

For: SPEEDCOOKING OVEN INCLUDING A
CONVECTION/BAKE MODE

:
: Art Unit:
:
: Examiner:
:
:
:

**PETITION TO REVIVE PATENT APPLICATION FOR UNINTENTIONAL FAILURE TO
RESPOND TO NOTICE OF MISSING PARTS (37 C.F.R. § 1.137(b))**

Box DAC
Hon. Commissioner for Patents
Washington, D.C. 20231

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Pursuant to 37 C.F.R. § 1.137(b), this is a petition for revival of an unintentionally abandoned application. Particularly, a Notice To File Missing Parts Of Nonprovisional Application was mailed by the U.S. Patent and Trademark Office (USPTO) on February 26, 2001, in the above-referenced patent application. The response to missing parts was due on April 26, 2001. A Notice of Abandonment has not been received.

The following authorizations and statements are provided in accordance with 37 C.F.R.

1.137(b):

- (1) Authorization to charge the late filing fee to a deposit account is set forth below in Paragraph (4).
- (2) Authorization to charge the petition fee (37 C.F.R. 1.17(m)) is set forth below in Paragraph (4).
- (3) The entire delay in the filing of the required reply from the due date for the reply until the filing of this petition was unintentional.

07/15/2002 TUESDAY 00000048 012384 09758611
02 FC:141 1280.00 CH

(4) Fees:

- a. Late Filing Fee Surcharge (37 C.F.R. 1.16(e)) \$ 130.00
- b. Petition Fee (37 C.F.R. 1.17(m)) \$ 1,280.00
- c. TOTAL FEES DUE: \$ 1,410.00

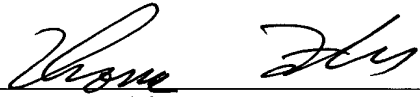
The Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$1,410.00, any deficiencies in the enclosed fees, or credit any overpayment, to Deposit Account No. 01-2384. *A duplicate copy of this petition is enclosed.*

(5) Enclosed is a required response to the notice of missing parts including:

- a. Copy of the Notice To File Missing Parts Of Nonprovisional Application
- b. Copy of the signed Declaration And Power Of Attorney of Todd Vincent Graves, Kevin Farrelly Nolan and Brian Robert Goodrich.
- c. Copy of the Associate Power Of Attorney And Change Of Correspondence Address as filed December 18, 2001, including:
 - Change of Correspondence Address Form PTO/SB/122
 - Return Post Card
 - Stamp-Received Return Post Card
- d. Twenty-Three (23) Sheets of Formal Drawings

As set forth above, the entire delay in the filing of the required reply from the due date for the reply until the filing of this petition was unintentional. Therefore, Applicants respectfully request that the subject application be revived.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
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One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
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 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/758,611	01/11/2001		9D-RG-19587

CONFIRMATION NO. 8977

FORMALITIES LETTER



OC000000005802010

John S. Beulick
 Armstrong Teasdale LLP
 Suite 2600
 One Metropolitan Sq.
 St. Louis, MO 63102

Date Mailed: 02/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/15/2002 TBESHAN1 00000048 012384 09758611 FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202
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10-02
DAC MP

9D-RG-19587
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Graves et al. :
Serial No.: 09/758,611 : Art Unit:
Filed: January 11, 2001 : Examiner:
For: SPEEDCOOKING OVEN INCLUDING A :
CONVECTION/BAKE MODE :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

Express Mail mailing label number: EV 130049036 US

Date of Mailing: July 8, 2002

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I certify that documents listed below:

- ◆ Petition To Revive Patent Application For Unintentional Failure To Respond To Notice Of Missing Parts (37 C.F.R. § 1.137 (b)) (2 pages, *in duplicate*)
- ◆ Copy of the Notice To File Missing Parts Of Nonprovisional Application (1 page)
- ◆ Copy of the signed Declaration And Power Of Attorney of Todd Vincent Graves, Kevin Farrelly Nolan and Brian Robert Goodrich(1 page)
- ◆ Copy of the Associate Power Of Attorney And Change Of Correspondence Address (1 page) as filed December 18, 2001, including, Change of Correspondence Address Form PTO/SB/122 (1 page), Return Post Card (1 page) and Stamp-Received Return Post Card (1 page)
- ◆ Twenty-Three Sheets of Formal Drawings
- ◆ Certificate Of Mailing By Express Mail (1 page)
- ◆ Return Post Card

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Box DAC, Commissioner for Patents, Washington, D.C. 20231.

Respectfully Submitted,

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